

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the**Nov 08, 2016****Eastern District of Washington**

SEAN F. MCVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Garnet Willis

Case Number: 0980 2:05CR06033-RHW-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: May 16, 2006

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison- 98 months; TSR - 72 Type of Supervision: Supervised Release months

Revocation Sentence: Prison- 6 months 12 days;
November 6, 2013 TSR- 64 monthsRevocation Sentence:
February 19, 2016 Prison- 90 days; TSR- 61
months

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: April 20, 2016

Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: May 19, 2021

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1

Special Condition # 18: You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The defendant failed to report for random urinalysis testing on August 25, 2016, and September 27, 2016.

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2 **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The defendant provided a urinalysis sample on October 11, 2016, which was confirmed positive for the presence of marijuana.

3 **Mandatory Condition:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On October 28, 2016, the defendant committed the offense of driving with a suspended license in the third degree.

On October 28, 2016, the defendant was contacted by an officer with the Pasco Police Department after he was observed driving erratically. After making contact with the defendant, it was determined his license was suspended. The defendant was arrested and charged under Franklin County District Court case number 6Z0947193.

4 **Mandatory Condition:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On October 28, 2016, the defendant committed the offense of violating a no-contact order.

As noted above, the defendant was contacted by an officer with the Pasco Police Department. During the contact the officer determined the vehicle was owned by an individual the defendant has a no-contact order with. The officer also noted the defendant was speaking with the same person on his cell phone. The officer inquired about his phone contact and the defendant admitted he was speaking with the individual listed on the no-contact order. The defendant was arrested and charged in Franklin County District Court under case number 6Z1085935.

5 **Standard Condition #8:** The defendant shall not purchase, possess, use, distribute, or administer any controlled substance or paraphernalia related to any controlled substances, except as prescribed by a physician. Use, acquisition, or possession of marijuana with or without a physician's prescription is prohibited.

Supporting Evidence: On October 28, 2016, the defendant was in possession of drug paraphernalia.

As noted above, the defendant was contacted by an officer with the Pasco Police Department. During the contact various drug paraphernalia was observed in the vehicle. The paraphernalia was later taken from the vehicle during a search of the vehicle.

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6 Mandatory Condition: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On October 29, 2016, the defendant committed the offense of possession of a controlled substance in a jail facility.

The defendant was arrested just prior to midnight on October 28, 2016, due to the issues listed in violations 3 and 4 and was booked into the Franklin County Jail in Pasco. Corrections officers noted the smell of marijuana coming from the cell the defendant and others were being held in. The defendant was removed and searched. Corrections officers located marijuana in the defendant's front pocket. It was noted the defendant stated he did not bring the marijuana into the facility, but had obtained it from another individual. The defendant was charged under case number 6Z1085936.

The U.S. Probation Office respectfully recommends the Court issue a summons for the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/4/2016

s/ David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- No Action
 - The Issuance of a Warrant
 - The Issuance of a Summons
 - Other

Robert Whaley

Signature of Judicial Officer

11/8/2016

Date